



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/761,728

01/21/2004

Klay Ethan Gilbert

38398/294579

3655

7590

06/15/2005

John S. Pratt, Esq.
KILPATRICK STOCKTON LLP
Suite 2800
1100 Peachtree Street
Atlanta, GA 30309-4530

EXAMINER

BINDA, GREGORY JOHN

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,728

Applicant(s)

GILBERT, KLAY ETHAN

Examiner

Greg Binda

Art Unit

3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) 12 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/6/04, 5/16/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Election/Restrictions

1. Applicant's election without traverse of a coupling (Group I) in the reply filed on May 16, 2005 is acknowledged.
2. Claim 12 is withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on May 16, 2005.

Drawings

3. The drawings are objected to because the drawings fail to show the claimed invention, an aircraft seat. See claim 11. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner,

Art Unit: 3679

the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The disclosure is objected to because on page 8, last paragraph the hub 14 is repeatedly identified with an incorrect reference numeral.

5. The specification is objected to because the detailed description fails to provide proper antecedent basis for the limitation "circular disc" in claim 3 and all the limitations in claim 8.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-6, 8, 10 & 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Downey, US 3,798,924. Figs. 1-3 show a coupling 10 comprising: first and second hub assemblies 16 & 18, each comprising: means 24, 26 for receiving a shaft; at least one pin 30; and means 36, comprising an opening 36, for receiving the pin of the other hub assembly while providing clearance therefor, thereby permitting movement of the pin within the opening to accommodate angular misalignment of the received shafts; and a center member 40 positioned

Art Unit: 3679

between the first and second hub assemblies and comprising a plurality of openings 44 for receiving the pins. Figs. 2-4 show the center member 40 comprises an elastomeric circular disc 42 with a plurality of openings 44 that are at least as great in number as the total number of pins 30 and are sized smaller than pin receiving openings 36 in the first and second hub assemblies 16, 18.

8. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Hickman, GB 582,901. Figs. 1-3 show a coupling comprising: first and second hub assemblies 1, 8 & 2, 9 (see also page 2, lines 107-109) each comprising: means for receiving a shaft 16 & 17; at least one pin 10; and means 3, 11, comprising an opening 3, 11, for receiving the pin of the other hub assembly while providing clearance (see fig. 2) therefor, thereby permitting movement of the pin within the opening to accommodate angular misalignment of the received shafts; and a center member 6 positioned between the first and second hub assemblies and comprising a plurality of openings 7 for receiving the pins. Figs. 1-3 show the center member 6 comprises an elastomeric circular disc with a plurality of openings 7 that are at least as great in number as the total number of pins 10 and are sized smaller than pin receiving openings 3, 11 in the first and second hub assemblies. Figs 1 & 3 show that each pin is generally cylindrically shaped and is tapered 12 at an end remote from the hub assembly which it comprises. Figs. 1 & 2 show the axis of the pin 10 of the first assembly 1, 8 is offset radially approximately sixty degrees from the axis of the pin 10 of the second assembly 2, 9.

Art Unit: 3679

9. Claims 1-6, 8 & 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Weiss, US 4,708,692. Figs. 1-7 show a coupling comprising all the limitations of the claims.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Farrell shows a coupling comprising tapered bolts 70-74.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Greg Binda
Primary Examiner
Art Unit 3679